

Supreme Court of the State of New York
Appellate Division: Second Judicial Department

M245695
SL/

ALAN D. SCHEINKMAN, P.J.
MARK C. DILLON
SYLVIA O. HINDS-RADIX
LINDA CHRISTOPHER, JJ.

2017-04949

The People, etc., respondent,
v Stephan Harbison, appellant.

DECISION & ORDER ON MOTION
Motion for Poor Person Relief
and to Assign Counsel

(Ind. No. 820/15)

Motion by assigned counsel to be relieved of the assignment to prosecute an appeal from a judgment of the County Court, Suffolk County, rendered March 15, 2017, and for the assignment of new counsel. The appellant's motion for leave to prosecute the appeal as a poor person and for assignment of counsel was granted on August 7, 2017, and the following named attorney was assigned as counsel to prosecute the appeal:

Laurette Mulry, Esq.
Legal Aid Society of Suffolk County - Appeals Bureau
300 Center Drive
PO Box 1697
Riverhead, New York 11901-3398

Upon the papers filed in support of the motion and the papers filed in relation thereto, it is

ORDERED that the motion is granted, and the former assigned counsel is directed to turn over all papers in the action to new counsel herein assigned; and it is further,

ORDERED that pursuant to County Law § 722 the following named attorney is assigned as counsel to prosecute the appeal:

Scott Lockwood, Esq.
1476 Deer Park Avenue, Suite 3
North Babylon, NY 11703

and it is further,
February 6, 2018

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ORDERED that upon service of a copy of this decision and order on motion upon it, the Department of Probation is hereby authorized and directed to provide assigned counsel with a copy of the presentence report prepared in connection with the defendant's sentencing, including the recommendation sheet and any prior reports on the defendant which are incorporated or referred to in the report, and to provide additional copies to this Court upon demand; and it is further,

ORDERED that the appellant's time to perfect the appeal is enlarged; assigned counsel shall prosecute the appeal expeditiously in accordance with this Court's rules (*see* 22 NYCRR 670.1, *et seq.*) and written directions; and it is further,

ORDERED that assigned counsel is directed to serve a copy of this decision and order on motion upon the clerk of the court from which the appeal is taken.

SCHEINKMAN, P.J., DILLON, HINDS-RADIX and CHRISTOPHER, JJ., concur.

ENTER: 
Aprilanne Agostino
Clerk of the Court

Appellant's Address:
15-R-2157
Franklin Corr. Fac.
62 Bare Hill Rd., P.O. Box 10
Malone, NY 12953